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10
11 IN THE UNITED STATES DISTRICT COURT
12
13 EASTERN DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 APPROXIMATELY \$59,620.00 IN U.S.
18 CURRENCY,

19 Defendant.

20:20-MC-00146-TLN-KJN

21 STIPULATION AND ORDER EXTENDING TIME
22 FOR FILING A COMPLAINT FOR FORFEITURE
23 AND/OR TO OBTAIN AN INDICTMENT
24 ALLEGING FORFEITURE

25 It is hereby stipulated by and between the United States of America and potential claimant Trey
26 Suy Lay (“Lay”), by and through their respective counsel, as follows:

27 1. On or about March 23, 2020, claimant Lay filed a claim in the administrative forfeiture
28 proceedings with the Drug Enforcement Administration with respect to the Approximately \$59,620.00
in U.S. Currency (hereafter “defendant currency”), which was seized on January 17, 2020.

29 2. The Drug Enforcement Administration has sent the written notice of intent to forfeit
30 required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has expired for any person
31 to file a claim to the defendant currency under 18 U.S.C. § 983(a)(2)(A)-(E), and no person other than
32 the claimant has filed a claim to the defendant currency as required by law in the administrative forfeiture
33 proceeding.

34 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for
35 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant

1 currency is subject to forfeiture within ninety days after a claim has been filed in the administrative
2 forfeiture proceedings, unless the court extends the deadline for good cause shown or by agreement of
3 the parties. That deadline was June 19, 2020.

4 4. By Stipulation and Order filed June 15, 2020, the parties stipulated to extend to August
5 18, 2020, the time in which the United States is required to file a civil complaint for forfeiture against the
6 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
7 forfeiture.

8 5. By Stipulation and Order filed August 17, 2020, the parties stipulated to extend to October
9 19, 2020, the time in which the United States is required to file a civil complaint for forfeiture against the
10 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
11 forfeiture.

12 6. By Stipulation and Order filed October 15, 2020, the parties stipulated to extend to
13 December 18, 2020, the time in which the United States is required to file a civil complaint for forfeiture
14 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
15 subject to forfeiture.

16 7. By Stipulation and Order filed December 16, 2020, the parties stipulated to extend to February 16, 2021, the time in which the United States is required to file a civil complaint for forfeiture
17 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
18 subject to forfeiture.

20 8. By Stipulation and Order filed February 16, 2021, the parties stipulated to extend to April
21 16, 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
22 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
23 forfeiture.

24 9. By Stipulation and Order filed April 16, 2021, the parties stipulated to extend to June 15, 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
25 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
26 forfeiture.

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1 10. By Stipulation and Order filed June 14, 2021, the parties stipulated to extend to August
2 13, 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
3 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
4 forfeiture.

5 11. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend
6 to September 13, 2021, the time in which the United States is required to file a civil complaint for
7 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant
8 currency is subject to forfeiture.

9 12. Accordingly, the parties agree that the deadline by which the United States shall be
10 required to file a complaint for forfeiture against the defendant currency and/or to obtain an indictment
11 alleging that the defendant currency is subject to forfeiture shall be extended to September 13, 2021.

12 Dated: 8/11/21

PHILLIP A. TALBERT
Acting United States Attorney

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18 /s/ Isaac Safier
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